

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ROBERT C. DEE,

Plaintiff,

-against-

METROPOLITAN TRANSPORTATION AUTHORITY
and CENTENNIAL ELEVATOR INDUSTRIES INC.,

Defendants.

**NOTICE OF
EXAMINATION
BEFORE TRIAL**

**Index No.: 08 CIV 3493
(NRB)**

S I R S :

PLEASE TAKE NOTICE, that pursuant to the Federal Rules of Civil Procedure, the testimony, upon oral examination, **of all adverse parties** will be taken before a Notary Public who is not an attorney, or employee of an attorney, for any party or prospective party herein and is not a person who would be disqualified to act as a juror because of interest or because of consanguinity or affinity to any party herein, at the offices of FAUST GOETZ SCHENKER & BLEE, Two Rector Street, 20th Floor, New York, New York 10006, on the **24th day of September, 2008** at 9:30 in the morning of that day with respect to the evidence material and necessary in the defense of this action.

That the said person to be examined is required to produce at such examination the following: books, records and papers pertaining to the above action.

Dated: New York, New York
July 14, 2008

Yours, etc.


FAUST GOETZ SCHENKER & BLEE

By: Marisa Goetz (MG 6582)

Attorneys for Defendant

CENTENNIAL ELEVATOR

INDUSTRIES INC.

Two Rector Street, 20th Floor

New York, New York 10006

(212) 363-6900

Our File No.: 9322-BRAC

TO:

IRA H. LAPP, ESQ.

NEIMARK & NEIMARK LLP

Attorneys for Plaintiff

37 Congers Road

New City, New York 10956-5135

(845) 638-3012

(845) 638-3093-fax

File No.: W-334

Andrew Wiener

WEINER MILO & MORGAN

Attorneys for Defendant MTA

220 Fifth Ave., 10th Floor

New York, New York 10001

212-213-1220

212-889-5228-fax

File No.: 393020

STATE OF NEW YORK)
) ss:
COUNTY OF NEW YORK)

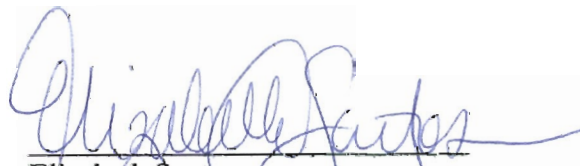
Elizabeth Santos, being duly sworn, deposes and says:

That I am not a party to the within action, am over 18 years of age and reside in Perth Amboy, New Jersey.

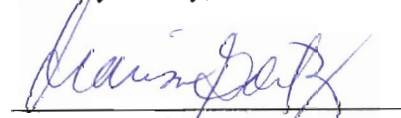
That on July 14, 2008, deponent served the within Notice of Examination Before Trial upon the attorneys and parties listed below by United States prepaid mail within the State of New York:

TO: IRA H. LAPP, ESQ.
 NEIMARK & NEIMARK LLP
 Attorneys for Plaintiff
 37 Congers Road
 New City, New York 10956-5135
 (845) 638-3012
 (845) 638-3093-fax
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Andrew Wiener
WEINER MILO & MORGAN
Attorneys for Defendant MTA
220 Fifth Ave., 10th Floor
New York, New York 10001
212-213-1220
212-889-5228-fax
File No.: 393020


Elizabeth Santos

Sworn to before me this
14th day of July, 2008.


Notary Public

MARISA GOETZ
NOTARY PUBLIC STATE OF NY
NO 02606121680
QUALIFIED IN NY COUNTY
COMMISSION EXPIRES 2011